

For Immediate Release
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**SENATE COMMITTEE CONSIDERS LEGISLATION THAT
WOULD PREVENT FRIVOLOUS LAWSUITS AGAINST FOOD INDUSTRY**

JEFFERSON CITY -- The Senate Pensions and General Laws Committee on Tuesday considered tort reform legislation sponsored by Sen. Chuck Gross, R-St. Charles, which would prevent frivolous lawsuits from being filed against Missouri's restaurants and others in the food industry.

"We have become an increasingly litigious society," said Gross. "Rather than take responsibility for personal actions, it has become acceptable to file lawsuits for smoking too much, drinking too much or overeating. This superficial litigation has tied up our legal system for far too long."

Senate Bill 1185 would prohibit lawsuits against restaurants, advertisers, producers and others in the food industry by people who gain weight or have weight-related health problems from eating their products.

The legislation is necessary, Gross said, because people should be accountable for their eating habits and not blame others if they become obese or develop other health problems.

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“A consumer couldn’t eat at a fast food restaurant two or three times a day, and then sue that restaurant because they’ve gotten fat,” Gross said. “Every responsible person understands what is in products such as hamburgers and fries, as well as the consequence to one’s waistline, and potentially to one’s health, of excessively eating those foods over a prolonged period of time. The restaurant is not responsible for overindulgence.”

In recent years lawsuits against restaurant chains have been filed in courts throughout the United States. In 2003, a federal court judge in New York threw out a class-action lawsuit that blamed McDonald’s food for obesity, diabetes and other problems in children. The judge said plaintiffs failed to show the fast-food chain’s products “involve a danger that is not within the common knowledge of consumers.”

These lawsuits follow in the wake of similar litigation filed against alcohol, tobacco and gun manufacturers.

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